

**NASA  
Procedural  
Requirements**

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NPR 3713.1B  
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(NASA Only)

**Subject: Reasonable Accommodations Procedures****Responsible Office: Office of Diversity and Equal Opportunity**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [Chapter5](#) | [Chapter6](#) | [AppendixA](#) | [AppendixB](#) | [AppendixC](#) | [AppendixD](#) | [AppendixE](#) | [AppendixF](#) | [ALL](#)**Appendix C. Implementation Guide****C.1 Introduction**

C.1.1 This Implementation Guide provides supporting information on the Agency procedures for processing reasonable accommodation requests to assist in ensuring appropriate and effective reasonable accommodation processing pursuant to the NPR.

C.1.2 The guide is designed as an educational tool and desk-reference for managers, supervisors, and employees, especially individuals with formal roles and responsibilities in the process, for example, Center DPMs.

C.1.3 To this end, the Guide provides additional, more detailed information on topics addressed or touched on in the body of the NPR, including:

- a. Common Types of Accommodations
- b. Extenuating Circumstances
- c. Temporary Measures
- d. Parameters on Medical Information Requests
- e. Standard Language for GINA Warnings

C.1.4 This Implementation Guide also provides a flowchart of the process. (See Section C.9.)

**C.2 Common Types of Accommodations. These may include:**

- a. Modifying work schedules or supervisory methods
- b. Granting breaks or authorizing leave
- c. Altering how or when job duties are performed
- d. Removing and/or substituting a non-essential job function
- e. Moving to different office space
- f. Providing telework beyond that provided by a specific collective bargaining agreement or relevant Memorandum of Understanding.
- g. Making changes in workplace policies
- h. Providing adaptive or assistive technology, including information technology and communications equipment or specially designed furniture
- i. Providing a reader, sign language interpreter, or other staff assistant to enable employees to perform their job functions
- j. Removing an architectural barrier, including reconfiguring work spaces
- k. Providing accessible parking
- l. Providing materials in alternative formats (e.g., Braille, large print)
- m. Providing a reassignment to another job (see Section 3.4.5)

**C.3 "Extenuating Circumstances" to Time Frames**

C.3.1 If a request for a reasonable accommodation requires no supporting medical information and no extenuating circumstances apply, the request is processed and the reasonable accommodation provided in no more than 30 calendar days from the date that the request was first made.

C.3.2 Where extenuating circumstances are present, the supervisor notifies the individual in writing and apprises appropriate stakeholders (e.g., management, EO, HR, DPM) of the reason for the delay and the approximate date on which a decision or the provision of the reasonable accommodation, is expected.

C.3.3 "Extenuating circumstances" covers limited situations in which unforeseen or unavoidable events prevent prompt processing and delivery of a reasonable accommodation.

C.3.3.1 For example, NASA may not delay processing or providing a reasonable accommodation because a particular staff member is unavailable. NASA staff is expected to act as quickly as possible, but not take longer than 30 calendar days to process requests and provide reasonable accommodations, absent extenuating circumstances. Even with extenuating circumstances, every effort should be made to ensure prompt processing, such that processing time does not extend beyond 60 calendar days.

C.3.3.2 When extenuating circumstances are present, the time for processing a request for reasonable accommodation and providing the reasonable accommodation is extended, as necessary, at the discretion of the supervisor with the following rules applying:

- a. Extensions based on extenuating circumstances are limited.
- b. The reasons for such extensions will be in writing.
- c. The supervisor's response, regardless of whether the extension is granted, will also be documented.

C.3.3.3 Some examples of extenuating circumstances:

- a. There is an outstanding initial or follow-up request for medical information, or the physician or other health professional chosen by NASA is evaluating medical information that has been provided.
- b. The purchase of equipment may take longer than 30 calendar days because of requirements under the Federal Acquisition Regulations.
- c. Equipment has to be back-ordered because the vendor typically used by NASA for goods or services has unexpectedly gone out of business or the vendor cannot promptly supply the needed goods or services and another vendor is not immediately available.
- d. The employee with a disability needs to work with equipment on a trial basis to ensure that it is effective before NASA executes a final purchase.
- e. New staff needs to be hired or contracted for, or a reasonable accommodation involves the removal of architectural barriers.
- f. The acquisition of assistive technology may take time to obtain.

C.3.4 Any further developments or changes are also to be communicated promptly by the supervisor to the individual in writing, including other extenuating circumstances that would modify or limit the Agency's ability to provide the reasonable accommodation.

**C.4 Temporary Measures**

C.4.1 If there is a delay in providing a reasonable accommodation that has been approved, the supervisor, in consultation with the Reasonable Accommodations Team, determines whether temporary measures can be taken to assist the employee. (Note: Generally, this section refers to employees rather than applicants.)

C.4.2 This could include providing the requested reasonable accommodation on a temporary basis or providing a less effective form of reasonable accommodation.

C.4.2.1 This temporary measure may not be as effective as the adaptive equipment, but it will at least allow the employee to perform as much of the job as possible until the equipment arrives.

C.4.2.2 In addition, the supervisor may provide, although is not required to provide, measures that are not reasonable accommodations within the meaning of the law (e.g., temporary removal of an essential function) if:

- a. They do not interfere with the operations of the Agency; and
  - b. The employee is clearly informed that they are being provided only on a temporary, interim basis.
- C.4.2.3 If a delay is attributable to the need to obtain or evaluate medical documentation and NASA has not yet determined that the individual is entitled to a reasonable accommodation, NASA may also provide temporary measures.
- a. In such a case, the supervisor is to notify the individual in writing that the measures are temporary, pending a decision on the reasonable accommodation request.
  - b. Supervisors who approve such temporary measures are responsible for assuring that they do not take the place of a permanent reasonable accommodation and that all necessary steps to secure the permanent reasonable accommodation are taken.

**C.5 Parameters on Medical Information Requests**

C.5.1 The supervisor, with appropriate consultation and through the DPM, may seek information or documentation only about the disability and/or functional limitations and/or ask the individual to obtain such information from an appropriate professional, such as a treating or attending physician, psychiatrist, nurse, rehabilitation therapist, or counselor.

C.5.1.1 More specifically, NASA may only seek the documentation that is reasonably necessary to establish that the individual requesting the reasonable accommodation has a disability and needs the reasonable accommodation requested. <sup>39</sup>

<sup>39</sup> See EEOC: Practical Advice For Drafting And Implementing Reasonable Accommodation Procedures Under Executive Order 13164 (July 2005), "Drafting Tips: Expressly warn against asking for medical information in support of every accommodation request." (hereafter cited as EEOC: Practical Advice).

C.5.1.2 Therefore, the medical documentation will be limited to determining the existence of a disability and/or the functional limitations that require reasonable accommodation.

C.5.1.3 To obtain the most helpful information possible, all requests for medical information to the individual requesting the accommodation or to the individual's medical provider should describe the nature of the job, the essential functions the individual is expected to perform, and include a copy of the individual's position description and any other relevant information about job duties.

**C.6 Standard Language for GINA Warnings**

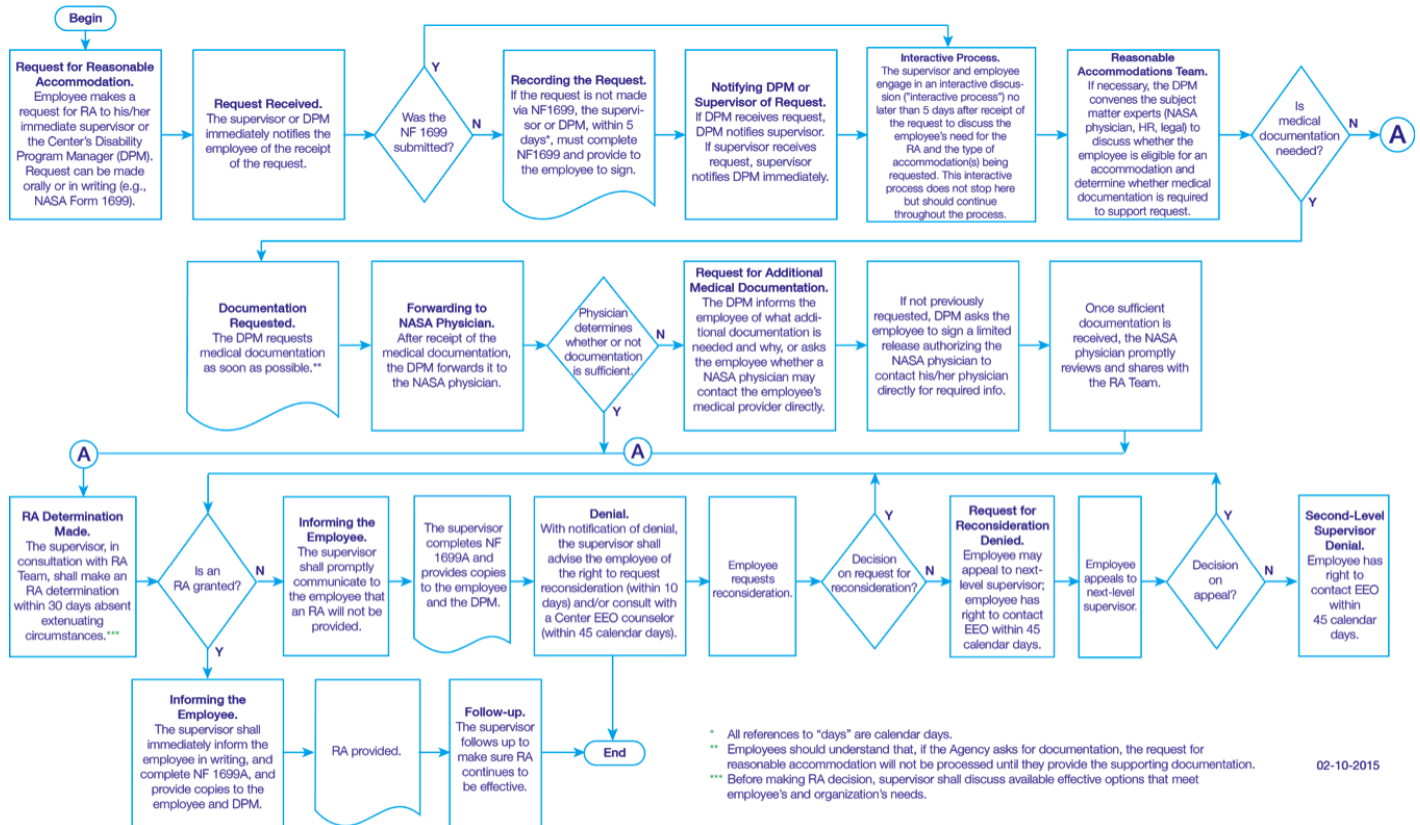
C.6.1 As stated in Section 3.3.1.2(c), all requests for medical information should warn the employee and/or health care provider from whom the information is requested not to provide genetic information, to ensure consistency with GINA. This would include any information related to family medical history, genetically-related disorders or diseases, or other information on genetic tests or services.

C.6.2 The warning should be in writing and should state as follows:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services." <sup>40</sup>

<sup>40</sup> 29 CFR § 1635.8(b)(1)(i).

### C.7 Flowchart of the Reasonable Accommodation Process for Employees



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